



Journal of the House

State of Indiana

113th General Assembly

First Regular Session

Third Meeting Day

Wednesday Afternoon

January 8, 2003

The House convened at 2:00 p.m. with the Speaker in the Chair.

The invocation was offered by Father Thomas Murphy, St. John's Roman Catholic Church, Indianapolis, former member of the House of Representatives and a guest of Representative Michael B. Murphy.

The Pledge of Allegiance to the Flag was led by Representative Murphy.

The Speaker ordered the roll of the House to be called:

T. Adams	Kromkowski
Aguilera	Kruse
Alderman	Kuzman
Austin	LaPlante
Avery	L. Lawson
Ayres	Lehe
Bardon	Leonard
Becker	Liggett
Behning	J. Lutz ☐
Bischoff	Lytle
Borror	Mahern
Bosma	Mangus
Bottorff	Mays
C. Brown	McClain
T. Brown	Moses
Buck	Murphy
Budak	Neese
Buell	Noe
Burton	Orentlicher
Cheney	Oxley
Cherry	Pelath
Chowning	Pflum
Cochran	Pierce
Crawford	Pond
Crooks	Porter
Day	Reske
Denbo	Richardson
Dickinson	Ripley
Dobis	Robertson
Duncan	Ruppel
Dvorak	Saunders
Espich	Scholer
Foley	V. Smith
Frenz	Stevenson
Friend	Stilwell
Frizzell	Stine
Fry	Stutzman
GiaQuinta ☐	Summers
Goodin	Thomas
Grubb	Thompson
Gutwein	Torr
Harris	Turner
Hasler	Ulmer
Heim	Weinzapfel
Herrell	Welch
Hinkle	Whetstone
Hoffman ☐	Wolkins
Kersey	D. Young
Klinker	Yount
Koch	Mr. Speaker

Roll Call 3: 97 present; 3 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, January 13, 2003, at 2:00.m.

CHENEY

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 2 and 3 and the same are herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 7 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

INTRODUCTION OF BILLS

The following bills were read a first time by title and referred to the respective committees:

HB 1162 — Liggett (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1163 — Dickinson (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1164 — Dickinson (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1165 — Frenz (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1166 — Frenz (Technology, Research and Development)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

HB 1167 — Frenz (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning technical corrections.

HB 1168 — Herrell (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1169 — Herrell, Scholer (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1170 — Herrell (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1171 — Herrell (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1172 — Hasler (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1173 — Hasler (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1174 — Hasler (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1175 — Kuzman (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

HB 1176 — Kuzman, Alderman (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1177 — Day, Whetstone (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning health and to make an appropriation.

HB 1178 — Buck (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1179 — Buck (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1180 — Buck (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1181 — Buck (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1182 — Buck (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

HB 1183 — Kuzman (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1184 — Stilwell (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1185 — Stilwell (Technology, Research and Development)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1186 — Stilwell (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1187 — Stilwell (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1188 — Stilwell (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1189 — Stilwell (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

HB 1190 — Stilwell (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

HB 1191 — Stilwell (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1192 — Ulmer (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1193 — Crawford (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1194 — Lytle (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1195 — Lytle (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1196 — Lytle (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1197 — Lytle (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

HB 1198 — Koch (Technology, Research and Development)

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

HB 1199 — Koch (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1200 — Kromkowski, Cochran (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1201 — Cochran, Kromkowski (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1202 — Frenz, Mahern (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1203 — Buell, Bischoff, Frizzell (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1204 — Buell (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

HB 1205 — J. Lutz (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning daylight saving time.

HB 1206 — J. Lutz (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1207 — J. Lutz (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1208 — J. Lutz (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1209 — Herrell (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1210 — Herrell (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1211 — Fry (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

HB 1212 — Fry (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations; consumer sales and credit.

HB 1213 — Fry (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1214 — Fry, Saunders (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1215 — Fry (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1216 — Fry (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1217 — Mangus (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1218 — Grubb, Ruppel (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

HB 1219 — Kuzman, Ayres (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1220 — Bottorff (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

HB 1221 — Bottorff (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1222 — Bottorff (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1223 — V. Smith (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

HB 1224 — V. Smith (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1225 — V. Smith (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1226 — V. Smith (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1227 — V. Smith (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1228 — Day, D. Young (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1229 — V. Smith, C. Brown (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1230 — Duncan (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1231 — Duncan (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

HB 1232 — Duncan (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 2

The Speaker handed down Senate Concurrent Resolution 2, sponsored by Representatives Burton, Foley, Frizzell, Yount, and Friend:

A CONCURRENT RESOLUTION memorializing Dr. Don G. Scroggins.

Whereas, Dr. Don G. Scroggins passed away May 24, 2002, in Princeton, New Jersey, at the age of 67;

Whereas, Dr. Scroggins was born April 15, 1935, in New Castle, Indiana, to Ernest and Mary Scroggins;

Whereas, Dr. Scroggins is a graduate of Hanover College and the Indiana University School of Dentistry;

Whereas, Dr. Scroggins was a self-employed dentist in New Whiteland, Indiana;

Whereas, In addition to his duties as a dentist, Dr. Scroggins was a dedicated Republican who served as the Johnson County Republican Chairman for 21 years;

Whereas, Although he maintained a very busy schedule, Dr. Scroggins was dedicated to his community as a member of the Greenwood United Methodist Church, the Spiceland Masonic Lodge, the Indianapolis Valley of the Scottish Rite, the Murat Shrine, and Phi Delta Theta fraternity; and

Whereas, Dr. Scroggins touched the lives of countless people, and his death left a void that will be impossible to fill: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly wishes to express its heartfelt sympathy to members of the family of Dr. Don G. Scroggins in their time of grief.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to Dr. Scroggins' wife Doris, daughters Sarah and Susan, and sister Mary Lou Talbott.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 3

The Speaker handed down Senate Concurrent Resolution 3, sponsored by Representative Bischoff:

A CONCURRENT RESOLUTION to recognize the international exchange students attending East Central High School and Lawrenceburg High School in celebration of International Education Week.

Whereas, International Education Week emphasizes the importance of increasing student knowledge and awareness of the

world's cultures, peoples, languages and the necessity of bringing an international perspective into Indiana classrooms;

Whereas, All institutions of education in the state of Indiana participate in a wide variety of exchange programs;

Whereas, These exchange students broaden our international understanding, study of foreign languages, cultures and provide an opportunity for all students to increase their knowledge of the world community;

Whereas, Foreign students and individuals who participate in student exchange programs return home with a greater knowledge of our democracy and the enduring values of the state of Indiana; and

Whereas, the goal of this celebration is to encourage international student exchange and the strengthening of mutual understanding with our neighbors around the world: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana Senate encourages statewide participation among Indiana's excellent educational institutions to promote the importance of international education and exchange.

SECTION 2. That the Indiana Senate applauds the efforts of East Central High School and Lawrenceburg High School in promoting international education and exchange.

SECTION 3. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to the Principal of East Central High School, Bruce Gaylor and exchange students: Hitomi Matsunaka, Japan; Tracy Yan, China; Linda Cepeda, Mexico; Daniel Silva, Brazil; Simone Heuer, Germany; Michael Wokon, Germany; and Stanislaw Madalinski-Pietka, Poland and to transmit a copy of the same to the Principal of Lawrenceburg High School, Anthony Dietrich and exchange students: Kow Saraviroj, Thailand; Pann Thamrongwang, Thailand; Loic Cleret, France and Sam Chien-Ming Chen, Taiwan.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 7

The Speaker handed down Senate Concurrent Resolution 7, sponsored by Representatives Duncan and Foley:

A CONCURRENT RESOLUTION honoring Karen Spaeth.

Whereas, Karen Spaeth cares very deeply about the people of her community;

Whereas, When five year old Allie Meyer was close to death, the members of the community were overcome with grief and were desperately trying to find a way to console Allie's parents and to help them find some peace;

Whereas, Karen Spaeth stepped forward to spearhead a campaign to find a way to help Bruce and Bernice Meyer through this extremely difficult time;

Whereas, Karen soon came to the realization that the only way to help the Meyers come to terms with the terrible tragedy that had befallen their family was through prayer;

Whereas, The Friends of Allie Community Prayer Service began on February 7, 2001, with 20 people in attendance;

Whereas, Attendance at the service grew as word spread throughout the community;

Whereas, The prayer service for Allie continued until her death eight weeks later;

Whereas, At that time, many people expressed a desire to continue the prayer service;

Whereas, The members of the prayer service pray for members of the community suffering from poor health, financial troubles, troubled relationships, and broken spirits and for our nation and its leaders in this time of world strife;

Whereas, Karen Spaeth was also able to draw some comfort from the prayers offered by the group when her oldest daughter was killed in an automobile accident later that year; and

Whereas, In these troubled times, prayer offers Hoosiers spiritual comfort and a way to provide some assistance to people when there seems to be no other way: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly wishes to thank Karen Spaeth for the many contributions she has made to her community and for the effort she has made to bring peace of mind to members of the family of Allie Meyer during their time of bereavement.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to Karen Spaeth and her family and to the pastor of Saint Mary's Catholic Church.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representative L. Lawson be added as coauthor of House Bill 1034.

POND

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as coauthor of House Bill 1083.

WEINZAPFEL

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Gutwein, the House adjourned at 2:25 p.m., this eighth day of January, 2003, until Monday, January 13, 2003, at 2:00 p.m.

B. PATRICK BAUER

Speaker of the House of Representatives

DIANE MASARIU CARTER

Principal Clerk of the House of Representatives